

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI SECRETARY OF STATE BUSINESS SERVICES DIVISION

Mississippi Department of Education
c/o Sheril Smith
Director of Office of Dropout Prevention
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Specific Legal Authority Authorizing the promulgation of Rule: Mississippi Code: Title 37 Education § 37-13-91

Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A

Date Rule Proposed: October 19, 2007

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Beginning with the 2005-2006 school year, state education agencies were required to report truancy rates on a school-by-school basis to the US Department of Education. However, there is currently no established MDE policy that defines the state's truancy calculation rate. In an effort to ensure compliance with federal guidelines, this policy sets forth the distinction between excused and unlawful absences and provides formulas for truancy, habitual truancy, suspension and expulsion rate calculations. This information will serve to establish a uniform reporting method. This new policy includes the following information:

- (1) Definition of terms related to truancy rate calculations;
- (2) Delineation between excused versus unlawful (unexcused) absences, pursuant to MS Code §37-13-91;
- (3) Clarification on how suspension days shall be counted for truancy purposes; and
- (4) Calculation formulas for:
 - a. Truancy Rate
 - b. Habitual Truancy Rate
 - c. Suspension Rate
 - d. Expulsion Rate

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☐ An oral proceeding was held on this rule:

Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

☒ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☒ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: October 19, 2007

Sheril R. Smith, Director, Office of Dropout Prevention
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 002
Effective Date 07/29/2005